

1 DAVID A. SMYTH, SBN 58339  
Attorney at Law  
2 1990 North California Bl., #830  
Walnut Creek, CA 94596  
3 Tel: 925/933-4541  
Fax: 925/932-7077  
4 dsmyth2\_@hotmail.com

5 Attorney for Debtors  
SALVADOR R. SOLORZANO  
6 MARIA C. SOLORZANO

7  
8 IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA  
9 OAKLAND DIVISION

10 In re:  
11 SALVADOR R. SOLORZANO,  
12 MARIA C. SOLORZANO,

CHAPTER 13  
CASE NO. 10-72847-RLE13

**DEBTORS' PRE HEARING  
STATEMENT**

Confirmation Hearing -

Date: 3/8/11

Time: 1:30pm

Ctrm: 201

1300 Clay Street, Oakland, CA

Judge Roger L. Efremsky

16 \_\_\_\_\_ Debtors. /

17 This matter was set for hearing because the Chapter 13 Trustee did not believe that the  
18 debtors could afford the plan that they proposed.

19 The debtors filed an Amended Schedule D and an Amended Chapter 13 Plan on  
20 February 2, 2011 eliminating the \$12,000.00 arrears to the Contra Costa County Tax Collector.  
21 Claim No. 4 filed on February 15, 2011 by the debtors' first mortgage holder shows that these  
22 property tax arrears were paid by the mortgage holder.

23 The debtors' Amended Chapter 13 Plan proposes to pay \$300.00 per month for the first  
24 4 months of the plan, increasing in April 2011 to \$1165.00 per month for the remaining 56  
25 months. The amended plan pays all claims in the amounts filed.

26 The debtors state that they can afford the above-described plan because Mr. Solorazano  
27 will be receiving a \$400/Mo. raise. In addition, the debtors' two adult children, both of whom  
28 live at home and are employed, can each add \$200/Mo. to what they are currently

1 contributing to the family budget.

2 The debtors request that the proposed Amended Chapter 13 Plan be confirmed.

3

4 **DATED:** February 28, 2011

Respectfully submitted

5

/s/ David A. Smyth

6

DAVID A. SMYTH

7

Attorney for Debtors

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28